

**ASSEMBLY BILL**

**No. 1347**

**Introduced by Assembly Member Maze**

February 21, 2003

---

---

An act to amend Section 65865 of the Government Code, relating to development projects.

LEGISLATIVE COUNSEL'S DIGEST

AB 1347, as introduced, Maze. Development agreements.

Under the Planning Zone Law, a city, county, or city and county may enter into a development agreement with any person having a legal or equitable interest in real property for the development of the property governing the permitted uses of the property. A city, county, or city and county may receive from applicants the direct costs associated with adopting a resolution or ordinance to establish procedures and requirements for the consideration of development agreements.

This bill would require every city, county, or city and county to deposit any fee it receives or cost it recovers in connection with a development agreement into a special account whose receipts and disbursements shall be reported publicly at least every 12 months. The record of those transactions would be a public record available for inspection at any time pursuant to the California Public Records Act.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 65865 of the Government Code is  
2 amended to read:

1 65865. (a) Any city, county, or city and county, may enter  
2 into a development agreement with any person having a legal or  
3 equitable interest in real property for the development of the  
4 property as provided in this article.

5 (b) Any city may enter into a development agreement with any  
6 person having a legal or equitable interest in real property in  
7 unincorporated territory within that city's sphere of influence for  
8 the development of the property as provided in this article.  
9 However, the agreement shall not become operative unless  
10 annexation proceedings annexing the property to the city are  
11 completed within the period of time specified by the agreement.  
12 If the annexation is not completed within the time specified in the  
13 agreement or any extension of the agreement, the agreement is null  
14 and void.

15 (c) Every city, county, or city and county, shall, upon request  
16 of an applicant, by resolution or ordinance, establish procedures  
17 and requirements for the consideration of development  
18 agreements upon application by, or on behalf of, the property  
19 owner or other person having a legal or equitable interest in the  
20 property.

21 (d) A city, county, or city and county may recover from  
22 applicants the direct costs associated with adopting a resolution or  
23 ordinance to establish procedures and requirements for the  
24 consideration of development agreements.

25 (e) *Every city, county, or city and county shall deposit any fee*  
26 *it receives or cost it recovers pursuant to this article into a special*  
27 *account whose receipts and disbursements shall be reported*  
28 *publicly at least every 12 months. The record of these transactions*  
29 *shall be a public record available for inspection pursuant to the*  
30 *California Public Records Act (Chapter 3.5 (commencing with*  
31 *Section 6250) of Division 7 of Title 1).*